



PATENT

ATTORNEY DOCKET NO. 56297-5010-01

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Martin J. GOLDBERG *et al.*

Application No.: 09/776,770

Filed: February 6, 2001

For: METHODS AND COMPOSITIONS FOR  
AMPLIFYING DETECTABLE SIGNALS  
IN SPECIFIC BINDING ASSAYS

Group Art Unit: 1634

Examiner: J. Souaya

ATTENTION: BOX AF

Commissioner for Patents  
Washington, D.C. 20231

Sir:

## AMENDMENT AFTER FINAL TRANSMITTAL FORM

1. Transmitted herewith is an Amendment After Final in response to the Final Office Action mailed October 28, 2002 (Paper No. 12).
2. Additional papers enclosed:

- ☐ Drawings: ☐ Formal ☐ Informal (Correction)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, \_\_\_\_\_ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment, pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

Extension of time fee due with this request: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	35	Minus	35	0	x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	4	minus	4	0	x \$84 each=	+ \$
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$
Reduction by 2 for filing by a small entity						- \$
TOTAL FEE =						\$

6. Fee Payment

[X] No fee is due at this time.

[ ] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

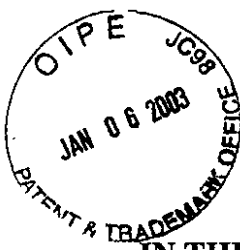
Respectfully submitted,

MORGAN, LEWIS &amp; BOCKIUS LLP

Dated: January 6, 2003

By: Michael S. Tuscan  
 Michael S. Tuscan, Ph.D.  
 Reg. No. 43,210

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**AMENDMENT AFTER FINAL UNDER 37 C.F.R. § 1.116**

Applicants respectfully request entry of this amendment, which is timely made in light of the further explanation of the grounds of rejection presented in the Final Office Action mailed October 28, 2002 (Paper No. 12), for which the period for response continues through January 28, 2003.

**IN THE CLAIMS:**

Please amend the claims as follows:

1. (Amended) A method for detecting a nucleic acid target comprising:
  - a) hybridizing a nucleic acid target, comprising a target nucleic acid sequence, to a nucleic acid probe, comprising a probe nucleic acid sequence, wherein the target comprises a binding ligand;
  - b) contacting the hybridized target with a receptor comprising multiple sites capable of binding the binding ligand to complex the receptor to the binding ligand;
  - c) contacting the receptor with an signal amplification reagent, comprising a plurality of the binding ligands, to complex the signal amplification reagent to the receptor; and
  - d) detecting the presence of the complexed signal amplification reagent.
2. (Amended) The method of claim 1, wherein the signal amplification reagent comprises an antibody.